IN THE HIGH CORUT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPEAL NO.825 OF 2000
IN
CRIMINAL APPEAL NO.919 OF 2000

Gangsingh @ Vijay Harishing Rathod — Appellant

versus

State of Maharashtra — Respondent

Nitin Jamdar with Vijay Killedar, adv. for Accused no.2.
A.M.Shringarpure, AGP for State.

CORAM : D.G.DESHPANDE, J.
DATE : 17th August 2004.

PC :

1. For reasons separately recorded, both the appeals are allowed. The conviction of all the accused i.e. accused nos.1 and 2 u/ss.29 r/w Sec.21 and 8(c) of NDPS Act, 1985 and the sentence imposed are set aside. They are in custody. They shall be released forthwith, if not required in any other case. If the accused have paid any fine, the same shall be returned to them. Rest of the order about disposal of the Muddemal property shall remain the same.

(D.G.DESHPANDE, J.)